FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

CIVIL APPLICATION NO. 959 OF 1996.
IN

APPEAL FROM ORDER(ST) NO.12064 OF 1992.

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders.	:	Court's or Judge's orders

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CORAM: V.C.DAGA,J.

DATED: 13-9-2004.

P.C.:

. This appeal was filed in the month of June 1992 against the impugned dated 18.2.1992, with application for condonation of delay. Since then the appeal is pending along with civil application. Appeal has not yet been admitted. Rule was issued on the civil application for condonation of delay. During all these years appellant could not serve all the respondents with the result, application has been dismissed for want of prosecution against respondent No. 2, 5 to 9 vide order dated 27.2.2002. As such, the impugned order has become final and

conclusive against them.

2. In this view of the matter, appeal can not survive. However, since, today nobody is appearing on behalf of the appellant I have no option but to dismiss this civil application for default. In the event applicant decides to move for restoration, he shall have to demonstrate as to how Appeal/Civil Application would survive in the absence of respondents against whom appeal has been dismissed.